**PATENT** 

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:	)
$\dot{V}$	) CERTIFICATE OF MAILING
Kenichi Kawase et al.	)
Application No. 10/813,370	<ul> <li>I hereby certify that this document and</li> <li>documents as being enclosed herewith</li> <li>are being deposited with the United</li> </ul>
Filed: March 30, 2004	) States Postal Service as first class mail
For: ELECTRODE AND BATTERY USING IT	<ul> <li>in an envelope addressed to:</li> <li>Commissioner for Patents, P.O. Box</li> <li>1450, Alexandria, VA 22313-1450 on:</li> </ul>
Group Art Unit: 1745	) December 9, 2005
Examiner: To be assigned	Suzarah Quevara
	Suzarah Guevara

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## INFORMATION DISCLOSURE STATEMENT BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. §1.97(b))

Dear Sir:

In accordance with the provisions of 37 C.F.R. §1.56, Applicants request that the documents identified on the attached PTO/SB08/a form be made of official record in the above-identified application and considered by the Examiner. The information disclosure statement submitted herewith is being filed before the mailing date of a first Office action on the merits, pursuant to 37 C.F.R. section 1.97(b). Copies of the identified documents are enclosed herewith in accordance with 37 C.F.R. §1.98.

#### I. <u>SUBMITTED US PATENT/PUBLICATION REFERENCES</u>

Document No.	<u>Number</u>	Country	Date of Patent/Publication
Al	2002168572	US	11-14-2002
A2	2002031708	US	03-14-2002

### II. SUBMITTED FOREIGN PATENT/PUBLICATION REFERENCES

Document No.	<u>Number</u>	Country	Date of Publication
B1	EP 1052711	EP	11-15-2000
B2	WO 03/023879	WO	03-20-2003
В3	EP 1244164	EP	09-25-2002
B4	JP 2002260637	JP	09-13-2002

# III. SUBMITTED NON-PATENT/PUBLICATION REFERENCES NONE

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. §1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

#### II. EXPLANATION OF RELEVANCE

The above-identified documents were cited in a communication from the European Patent Office dated November 7, 2005 (copy enclosed herewith), in a counterpart foreign application (EP 20040007960, filed April 1, 2004).

No fee is due with this submission. However, the Commissioner is hereby authorized to charge any deficiency in a required fee to Deposit Account No. 19-3140.

Respectfully submitted,

Dated: December 9, 2005 By:

David R. Metzger

Registration No. 32,919 SONNENSCHEIN NATH & ROSENTHAL LLP

P.O. Box 061080

Wacker Drive Station, Sears Tower

Chicago, Illinois 60606-1080

Phone: (312) 876-8000 Fax: (312) 876-7934

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of info unless it contains a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

TRANSPOSTITUTE for form 1449A/PTO

Complete if Known

Application Number 10/813,370

Filing Date March 30, 2004

First Named Inventor Kenichi KAWASE

Art Unit 1745

Examiner Name To be assigned

Attorney Docket Number 09792909-5860

(use as many sheets as necessary)
Sheet 1 Of 1

**U.S. PATENT DOCUMENTS Document Number** Examiner **Publication Date** Name of Patentee or Initials\* No.1 MM-DD-YYYY Applicant of Cited Document Number-Kind Code<sup>2 (if known)</sup> **A1** US 2002/0168572 A1 11-14-2002 N. Tamura et al. US 2002/0031708 A1 A2 03-14-2002 L. J. Krause et al.

		FOREIG	N PATENT DOCU	MENTS		
Examiner Initials*	Cite No.1	Foreign Patent Number  Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document		T6
	B1	EP 1 052 711 A1	11-15-2000	Matsushita Electric Industrial Co. Ltd.		
	B2	WO 03/023879 A2	09-04-2002	Polyplus Battery Company		
	B3	EP 1 244 164 A1	09-25-2002	Sanyo Electric Co. Ltd.		
	B4	JP2002 260637	09-13-2002	Sanyo Electric Co. Ltd	Abstract only	X
Examine Signatur		Date Considered				

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unquie citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.